



STATE OF MICHIGAN

JENNIFER M. GRANHOLM  
GOVERNOR

DEPARTMENT OF NATURAL RESOURCES  
LANSING

REBECCA A. HUMPHRIES  
DIRECTOR

May 9, 2005  
RESUBMITTED: June 6, 2005

Memorandum to the Natural Resources Commission:

SUBJECT: Hunting Rules for Allegan State Game Area and Selected State Parks

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, authorizes the Director and the Commission to issue orders to manage wild animals in this state.

Discussion and Background:

Members of the public have brought forward a number of requests to update regulations on the managed waterfowl areas of Allegan State Game Area. One request was to increase the area where hunting with dogs was allowed on the Fennville Farm Unit. The current regulation is in place to keep dogs from running into the refuge and disturbing wildlife. While it remains necessary to restrict dogs in hunting locations directly adjacent to the refuge, allowing dogs in other areas is appropriate. This recommendation provides additional hunting areas on the Fennville Farm where hunting dogs may be used to retrieve downed game.

The Fennville Farm Units' zones 2 - 8 had historically been closed to all hunting prior to the opening of the area goose season. In recent years, the area has been open to hunting prior to the goose season as an experiment to expand hunting opportunity. This practice is believed to have increased disturbance of geese and adversely affected goose use of the area. It is recommended the area regulation be returned to restricting all hunting on the Fennville Farm Unit for the seven days prior to the opening of the area goose season.

The Allegan State Game Area Bravo Unit currently provides the pass shooting opportunity that was historically provided by the Highbanks Unit. The Bravo Unit has always been a first come-first served area with very limited regulations, including no requirement to register harvest. Present recommendations are to require waterfowl hunters to hunt by pre-located designated posts. Posts will be allocated on a first come first served basis with a limit of three hunters per post. Hunters will also be required to register their daily waterfowl harvest at the Fennville Farm Unit check station. This regulation should increase safety, decrease crippling loss, promote better sportsmanship and provide a better enumeration of the harvest.

The Fennville Farm Unit refuge is maintained for Canada geese, but also provides a secure nesting and

NATURAL RESOURCES COMMISSION

Keith J. Charters-Chair • Mary Brown • Darnell Earley • Bob Garner • Gerald Hall • John Madigan • Frank Wheatlake

STEVENS T. MASON BUILDING • P.O. BOX 30028 • LANSING, MICHIGAN 48909-7528  
www.michigan.gov/dnr • (517) 373-2329

feeding area for numerous other wildlife species. During the firearm deer season, deer from the surrounding area congregate on the refuge, which contributes to very high deer numbers in this locale. These deer cause economic damage to local farms, vineyards and orchards. Deer numbers need to be reduced to alleviate this damage on adjacent private lands. It is recommended to allow a controlled hunt to harvest only antlerless deer, thereby reducing the population while providing increased recreational deer hunting opportunities.

The managed area refuges provide secure locations for feeding and resting waterfowl during the fall migration. It is important for wetland wildlife that these refuges continue to provide a secure place for waterfowl. However, the proposed regulation change will allow the flexibility to conduct limited hunting in the Highbanks and Fennville Farm Unit refuges by permit, should hunting be deemed appropriate in the future. It also allows a closure of the non-refuge areas for purposes of conducting a controlled hunt for non-waterfowl species.

Currently, waterfowl blinds may be constructed in the Ottawa Marsh prior to the open waterfowl season and are not removed until after the season. Territoriality of public property and blind ownership are constant problems with these blinds. Removal of unlawful blinds and associated trash complaints are problems for both Law Enforcement and Wildlife staff. The proposed rule change would no longer allow seasonal blinds and require that all blinds be removed daily.

The Department is also recommending technical corrections regarding Algonac State Park, Wm. C. Sterling State Park, and the former Rochester-Utica Recreation Area. These corrections are necessary to address incorrect wording in the present regulations and to address completed land transactions. These changes will allow hunting and trapping in the appropriate areas within these project areas.

#### Recommendation:

This order was submitted for information at the June 2, 2005 meeting of the Natural Resources Commission. This item will appear in the June 2005 Calendar and is eligible for approval on July 7, 2005. we are now recommending that it be acted upon at this meeting.

William E. Moritz, Chief  
Wildlife Division

Alan Marble, Chief  
Law Enforcement Division

Arminda S. Koch  
Resource Management Deputy

Dennis Fedewa  
Chief Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Natural Resources Commission has authority.

Rebecca A. Humphries  
Director

# **WILDLIFE CONSERVATION ORDER**

## **Amendment No. 13 of 2005**

Under the authority of sections 40107 and 40113a, Act No. 451 of the Public Acts of 1994, as amended, being sections 324.40107 and 324.40113a of the Michigan Compiled Laws, the Natural Resources Commission and the Director of the Department of Natural Resources ordered that effective July 8, 2005, the following sections of the Wildlife Conservation Order shall read as follows:

### **3.411 Nontoxic shot; unlawful acts.**

Sec. 3.411. (1) While taking ducks, geese, coots, mergansers, gallinules, rails, or snipe, a person shall not possess or use any shot, whether loose or loaded in shot shells, of a material other than shot approved as non-toxic by the U. S. fish and wildlife service pursuant to federal procedures.

### **7.28 Algonac state park, hunting and trapping allowed; exception.**

Sec. 7.28, Hunting and trapping shall be allowed during the established seasons on all state-owned lands in the dedicated boundary of Algonac state park in section 27 and private claims no. 188 and 200, T3N R16E, and private claims no. 245 and 318, T3N R16E, except for all state-owned lands in the dedicated park boundary lying east of the right-of-way of the Detroit and river St. Clair railroad, also known as the rapid railway.

### **7.35 Sterling state park, trapping, special late Canada goose hunting, waterfowl hunting allowed.**

Sec. 7.35. (1) Trapping shall be allowed during the established trapping seasons on all state-owned lands in the dedicated boundary on private claims 71, 73, 158 and 622 in sections 34 and 35, T6N R9E, and in sections 2, 3, 10 and 11, T7S R9E, within Sterling state park.

(2) Canada goose hunting shall be allowed during the special late season south and west of the park entrance road, except there shall be no taking of any animals within posted safety zones.

(3) Waterfowl hunting shall be allowed during the established seasons on all state-owned lands in the dedicated park boundary in part of Private Claim 571, Private Claim 653, Private Claim 512 and Frl. Sections 2,3,10, and 11 T7S R9E, Monroe Township, Monroe County, plus a strip of land for recreational trail purposes, also know as the Homrich exchange. In addition, the area east of Waterworks Road and south of Sandy Creek and north of the park entrance road, also known as the old campground.

### **7.58 Repealed**

### **13.1 Managed state game areas and wildlife areas listed.**

Sec. 13.1. The managed state game areas and wildlife areas are the Allegan state game area (Highbanks unit, Fennville farm, Ottawa marsh, and Bravo Unit) - Allegan county; Crow Island state game area (east and west units) - Saginaw and Bay counties; Fish Point wildlife area - Tuscola county; Grand Haven state game area - Ottawa county; Lapeer state game area - Lapeer county; Maple river state game area (wetlands wildlife management units near highway US-27) - Gratiot county; Munuscong wildlife area - Chippewa county; Muskegon state game area - Muskegon county; Nayanquing Point wildlife area - Bay county; Pointe Mouillee state game area - Wayne and Monroe counties; Portage marsh - Delta county; Shiawassee river state game area - Saginaw county; St. Clair flats wildlife area (Harsens Island unit, Dickinson Island unit and St. John's marsh unit) - St. Clair county; Sturgeon river sloughs wildlife area and Baraga plains wildlife area - Houghton and Baraga counties, and Wigwam Bay wildlife area (east unit) - Arenac county.

### **13.2 Unlawful acts.**

Sec. 13.2. A person shall not do any of the following on any managed state game or wildlife area listed in section 13.1:

(1) Enter any lands or waters posted "Wildlife Refuge - Do Not Enter" without proper written permission of the management unit supervisor or their representative.

(2) Construct a shooting pit or permanent blind.

(3) Hunt in or occupy any hunting zone, area, post, or blind, other than designated on the permit issued to the person by the department, or hunt beyond such distance as may be specified for that blind or post, except in the Ottawa Marsh unit of the Allegan State Game Area.

(4) Hunt or shoot from any dike, trail, safety zone, or retrieving zone posted against such use.

(5) Hunt in designated retriever dog zones or areas without a retrieving-type dog with an individual or party.

(6) Leave the area without returning their hunting permit and submitting all game taken for examination, unless directed to do otherwise by a posted sign or by instructions printed on their permit to hunt, except in the Ottawa Marsh unit of the Allegan State Game Area. Check-in times will be posted on area signs, indicated on the hunting map for each area or on the hunting permit issued.

(7) Trap on any area posted "State Game Area - Hunting by Permit Only" or "Wildlife Refuge - Do Not Enter" in zones 2 and 3 without a permit from the management unit supervisor or their representative.

(8) Use dogs for hunting or retrieving in areas posted against such use.

(9) Possess or fire from a shotgun more than 15 shells or 3 times the daily duck bag limit in any hunting zones posted at the area headquarters "Hunting Zone Shell Limit," as designated by the management unit supervisor or their representative.

(10) Possess or fire from a shotgun during the duck season shells with shot size greater than no. 1 in any hunting zones posted at the area headquarters "Hunting Zone Shot Size Limit," as designated by the management unit supervisor or their representative.

### **13.11 Allegan state game area, Highbanks, Fennville farm, and Bravo; additional rules.**

Sec. 13.11. Within the Highbanks unit, being all or portions of sections 4, 5, and 9, T2N R14W, posted "State Game Area - Hunting by Permit Only" or "Wildlife Refuge - Do Not Enter"; within the Fennville farm unit, being all or portions of sections 5, 7, 8, 9, 17, 18, 19, 20, and 30, T2N R15W; sections 12, 13, and 24, T2N R16W, posted "State Game Area - Hunting by Permit Only" or "Wildlife Refuge - Do Not Enter"; within the Bravo unit, being all of portions of sections 26, 27, 34, and 35, T2N R15W, posted "State Game Area - Hunting by Permit Only" or "Wildlife Refuge - Do Not Enter" the following rules are established:

(1) It is unlawful to use or possess any shot, whether loose or loaded in shot shells, of a material other than those specified in section 3.411, except single projectile loads.

(2) During the federal youth waterfowl hunting day(s) designated by the United States fish and wildlife service, the management unit supervisor or their representative, at their discretion, may permit waterfowl hunting by properly licensed youth 12 to 15 years of age accompanied by parent or a guardian.

(3) During a day designated by the management unit supervisor or their representative as "Youth Day," only hunting parties made up of one to four youths, 12 to 16 years old, with appropriate licenses and stamps, accompanied by a parent or guardian will be included in the daily drawing. Only youths will be permitted to hunt.

(4) A current hunting license and appropriate stamps shall constitute a valid permit to hunt in the non-refuge areas when the area goose season is closed, except as specified in 13.11 (9) and on designated days the management unit supervisor or their representative may suspend hunting for all animals in specified areas and allow hunting only under authority of a validated party registration hunting permit.

(5) The management unit supervisor or their representative, at their discretion, during the appropriate hunting season may allow hunting on designated dates within the areas posted "Wildlife Refuge – Do Not Enter" through a random drawing under the authority of a validated daily party registration hunting permit.

(6) On days designated by the management unit supervisor or their representative, during the deer hunting season, refuge deer hunting permits and non-refuge deer hunting permits may be issued to persons chosen in random drawings from applicants for different hunting periods. Permits shall not be transferred or altered.

(7) Deer hunting under the authority of a validated party registration hunting permit issued through a drawing may occur from opening hour until 12 noon, for antlerless deer only, on the dates designated by the management unit supervisor or their representative.

(8) No person shall possess a dog or use a dog for hunting in Fennville farm unit zones 2-7 or in the portion of zone 8 located in sections 18 and 19 of T2N R15W (Clyde township).

(9) On the Fennville farm unit Zones 2 – 8, all hunting shall be closed for seven days prior to the opening of the area goose season.

(10) During area goose season:

(a) In the Fennville farm unit zones 2-8, bravo unit, and Highbanks shooting posts, goose and duck hunting only is allowed from opening hour to 2 p.m., except that on youth day, goose and duck hunting shall be from opening hour to 12 noon and 1 p.m. to closing hour. Small game, duck, and archery deer hunting are allowed after 3 p.m., daily, except for youth day.

(b) The management unit supervisor or their representative may issue permits for afternoon duck and goose hunts on the Fennville farm unit from 1 p.m. to closing hour and the Highbanks refuge at their discretion.

(c) A validated party registration hunting permit issued through a daily drawing is required to hunt waterfowl from opening hour to 2 p.m. within the Highbanks unit and Fennville farm Zones 2-8. The hunting party leader shall be the adult whose name appears first on this permit. The party leader must maintain this permit in possession while on the area. The party leader must provide information as required on the permit and return the permit as prescribed in the area hunting and use rules. Under daily permit, the maximum party size is limited to six hunters at the Fennville farm unit and three hunters at the Highbanks and Bravo Units.

(d) A free seasonal managed area hunting record permit is required to hunt the Bravo unit, farm zones 1, 9, and 10, farm zones 2 through 8 from 3 p.m. to closing hour, daily and when hunting species other than geese in the Highbanks unit.

(e) Small game, duck, and archery deer hunting are allowed in Fennville farm zones 1, 9, and 10 from opening hour to closing hour, daily and in Fennville farm zones 2 through 8 from 3 p.m. to closing hour, daily, except for youth day.

(f) While goose hunting under authority of a validated party registration hunting permit at the Fennville farm and Highbanks units, or while waterfowl hunting at Bravo, no person shall have in their possession or fire from their shotgun more than 12 shot shells or possess shot size larger than BBB.

(g) Unless otherwise stipulated by permit, all goose hunting closes at 2:00 p.m. daily, except on a day(s) designated as Youth Day.

(h) No hunting of deer with firearms is permitted within the Fennville Farm Unit.

(i) Waterfowl hunters at the Highbanks and Bravo shooting posts shall remain within 25 feet of the assigned blind/post and shall not leave the assigned area, except to retrieve downed game, until completion of the hunt. If a person leaves the assigned area, except to retrieve downed game, the person shall not resume goose hunting in the Highbanks or Bravo unit that same day.

(j) The management unit supervisor, at their discretion, may restrict the manner of taking ducks and may issue permits for the taking of ducks.

(k) Refuge deer hunters shall remain within 25 feet of their assigned post/blind and shall not leave the assigned area, except to track and retrieve downed game; upon leaving their assigned post/blind, the person shall not resume deer hunting in the refuge that same day.

(l) Non-refuge deer hunters hunting under the authority of a daily hunting permit must hunt from within the corn-strips included within the assigned location, except to track and retrieve downed game.

(m) No shooting is permitted from parking areas, except under a permit issued by the area manager.

### **13.11a Ottawa marsh unit; additional rules.**

Sec. 13.11a. Within the Ottawa marsh unit, being all or portions of the state-owned lands and waters which are bounded on the north by the Kalamazoo river, on the south and west by the bottom of the bluff, and the pipeline right-of-way on the southeast, in sections 15, 22, 23, 24, 25, 26, and 27, T3N R15W, and sections 20 and 29, T3N R14W, the following rules are established:

(1) During the waterfowl season, the hunting hours for all migratory birds shall be from opening hour to 3:00 p.m. each day.

(2) Blinds erected or constructed for purpose of hunting must be removed daily.

(3) It is unlawful to use or possess any shot, whether loose or loaded in shot shells, of a material other than those specified in section 3.411, except single projectile loads.

Issued this 7<sup>th</sup> day of July, 2005.

Approved as to matters over which the Natural Resources Commission has authority.

Keith J. Charters, Chairman  
Natural Resources Commission

Approved as to matters over which the Director has authority.

Rebecca A. Humphries  
Director